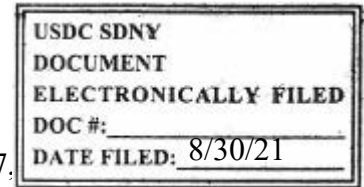


FBFG

Finkelstein, Blankinship,
Frei-Pearson & Garber, LLP



August 27,

VIA ECF

Hon. Alison J. Nathan
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Michele Metcalf v. TransPerfect Global, Inc.* No. 19-cv-10104-AJN-KHP

Dear Judge Nathan,

We represent Plaintiffs Michele Metcalf and Hannah Lawson in the above referenced matter and write jointly with Defendant TransPerfect Translations International Inc. to request an adjournment of the upcoming September 10, 2021 post-discovery conference and pursuant to Your Honor's August 27, 2021 Order directing the Parties to apprise the Court of the status of discovery, settlement efforts, anticipated summary judgment motions, pre-trial orders, and the need for a conference.

Magistrate Judge Parker has provided guidance and instructions to the Parties to help resolve an outstanding discovery dispute currently before the Court (*see* ECF Nos. 93-94) and has scheduled an additional discovery conference on this issue for September 28, 2021. However, this discovery dispute is not yet resolved, and discovery is not yet complete. The Parties anticipate that a revised discovery schedule will be entered at, or shortly after, the September 28, 2021 conference with Judge Parker. As such, the Parties respectfully request that the post-discovery conference currently scheduled for September 10, 2021 be adjourned until after a new discovery schedule is entered by the Court following the September 28, 2021 conference.

The Parties respectfully address the remaining topics listed in the Court's August 27, 2021 Order as follows:

- The Parties previously engaged in settlement discussions including an all-day mediation session held on April 6, 2021. However, these efforts did not lead to


settlement. No additional settlement negotiations are currently ongoing. The Parties believe referral to the Magistrate Judge or the Court-annexed Mediation Program for additional settlement discussions would be premature at this time, although the Parties may consider requesting such a referral after the resolution of the outstanding discovery dispute or after the close of discovery.

- Plaintiffs have not made any final determination on whether they intend to move for summary judgment. However, Plaintiffs reasonably anticipate that they will do so with respect to Defendant TransPerfect Translations International Inc.'s liability under the New York Labor Law. Defendant similarly has not made any final determinations on whether it intends to move for summary judgment, but reasonably anticipates that it will do so with respect to some or all of Plaintiffs' claims.
- As discovery is still ongoing and class certification and summary judgment motions are contemplated, the Parties respectfully contend that scheduling a joint final pre-trial order and potential trial dates is premature at this time.
- Based on the foregoing, the Parties respectfully request that the conference be adjourned, but not cancelled.

We thank Your Honor for your continued attention in this matter.

The conferenced scheduled for September 10, 2021, is adjourned. The parties shall by October 8, 2021, file a joint letter on the status of discovery that suggests at least two new dates for a post-discovery conference.

SO ORDERED.



SO ORDERED. 8/30/21
ALISON J. NATHAN, U.S.D.J.

Respectfully Submitted,

/s/ Jeremiah Frei-Pearson

Jeremiah Frei-Pearson

Andrew C. White

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